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SUMMARY RECORD OF THE 230th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 7 June 1995, at 10 a.m.

Chairperson: Mr. HAMMARBERG

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The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 5) (continued)

Sri Lanka (continued) (CRC/C/8/Add.13; CRC/C.9/WP.2; HRI/CORE/1/Add.48)

1. The CHAIRPERSON invited the Committee to resume its discussion of the list of issues (CRC/C.9/WP.2), focusing on the section relating to "Education, leisure and cultural activities".

2. Mr. MOMBESHORA asked whether, in the light of the disparities between urban and rural areas and the particular problems encountered in areas affected by the armed conflict, there were any reliable means for assessing the level of services provided, such as health care, and whether efficient systems were in place for collecting accurate data.

3. With regard to education, how accessible were schools in the conflict zones? Were teachers given special training to work in those areas? Was the drop-out rate there higher than average and, if so, what measures were being taken to reduce it?

4. Ms. RANASINGHE (Sri Lanka) acknowledged that services such as health care and education had been jeopardized in the areas affected by the conflict. It was also true that the statistical data relating to the provision of services in those areas, particularly the north-east, had been inadequate but her Government was making efforts to improve data collection. It gave high priority to the care and education of children in the areas directly or indirectly affected by the conflict. The Ministry of Education, for example, had issued special instructions to school principals to admit all children who had been displaced as a result of the fighting, even if they had no personal documents. Even in the conflict zones themselves, most schools continued to function, and most of the people involved in the fighting had shown a concern not to disrupt children's education. In addition, the Government had made efforts to ensure that displaced persons living in camps or with relatives had adequate food, shelter and basic amenities. In general, it was fair to say that education had not been as badly disrupted as might have been expected.

5. Miss MASON, referring to question 19 on the list of issues concerning the provision of adequate health care services, said that she would like more detailed information on the incidence of HIV infection and the measures taken by the authorities to combat it. In view of the reported high levels of child prostitution, especially among boys, what was being done to prevent discrimination against such children and provide help for those found to be HIV positive? Were there any specific AIDS prevention and treatment programmes? Were persons infected with HIV segregated or put into special hospitals? Were the children of HIV sufferers subjected to mandatory testing or to any other form of discrimination in terms of health care or education?

6. Another question concerned the high levels of teenage suicides. She would like to know whether any surveys had been conducted on the causes of suicides among young people. According to the report, one of the main causes was failure in examinations, but it was highly likely that other factors were also involved.

7. She noted that education in Sri Lanka was free and accessible to all, but was not yet compulsory, as the provisions of the Convention required. Were there any plans to make education compulsory and thereby reduce the high incidence of child labour?

8. Ms. RANASINGHE (Sri Lanka) said that the incidence of AIDS in Sri Lanka was still relatively low. While a few people had died of the disease, it was not yet widespread, thanks largely to programmes which had been instituted under the auspices of the Ministry of Health in collaboration with certain NGOs and with the assistance of WHO. The number of children with parents affected by the disease was too small to constitute a separate category. In the few reported cases of AIDS, other members of the victims' family had been tested for HIV. General hospitals had special units dealing with sexually-transmitted diseases, including AIDS, and specialist staff. Confidential testing was available to anyone who suspected that he had contracted HIV, a measure which had helped to overcome the social stigma which for so long had discouraged people from coming forward. The media had also helped to raise public awareness of the dangers of HIV infection, as a result of which most people knew the dangers of the disease and the ways in which it was transmitted. The country was better prepared than some to cope with the threat of the disease and there was a good chance that it would not become a major problem.

9. The high number of suicides among young people in Sri Lanka remained something of a mystery. Some of those suicides could be attributed to unhappy relationships; others were related to the intense pressure to pass examinations. Many parents, especially mothers, had very high expectations of their children, and selective examinations began as early as grade 5, even young children being obliged to take extra tuition outside school hours. The problem was exacerbated by the disparities which existed between schools in urban and rural areas, and parents often took unscrupulous steps to get their child into a school in a good catchment area. Fear of punishment or of losing face as a result of failing examinations sometimes resulted in suicide, although attempts were being made to persuade parents that such pressure was damaging and counter-productive. It was also a regrettable fact that young girls who had experienced rape were sometimes driven to suicide by the shame of their experience.

10. Legislation to be submitted to Parliament shortly would make education compulsory for all children. That measure was expected to help reduce the incidence of child labour. In addition, legislation to raise the minimum age of employment to 15 had been drafted and would be enacted in the near future.

11. Mr. KOLOSOV, referring to paragraphs 106 and 107 of the report concerning the objectives of education, said that he was concerned at the fact that those objectives as defined in Sri Lanka did not specifically include education of the child in the principles enshrined in the Charter of the United Nations as required under the terms of article 29, paragraph 1 (b). Nor were there any specific provisions to inculcate in the young a due respect for civilizations other than their own, in accordance with paragraph 1 (c) of the same article. Given the importance of those principles, the Sri Lankan authorities would do well to consider modifying national policy to ensure that they were included in school curricula.

12. Ms. RANASINGHE (Sri Lanka) said that since the submission of the present report the National Institute of Education had prepared a programme according to which respect for the values and customs of other ethnic groups and cultures would be incorporated into the curriculum.

13. The National Education Commission had identified a number of priority goals considered to be of vital importance in equipping children to cope with the challenges of the twentieth century. They included the achievement of national cohesion, integrity and unity, measures to promote social justice, the development of a more sustainable pattern of living in response to increasing environmental pressures, the generation of greater employment opportunities with the emphasis on the dignity and personal fulfilment of the individual, and, within that overall framework, measures to create greater development opportunities for the individual. As part of the philosophy of active partnership in nation-building, children were to be encouraged to show greater concern for others. Other important aims were the cultivation of adaptability and the ability of individuals to guide change for their own benefit and the benefit of others.

14. Ms. BADRAN suggested that a major difficulty during the 1970s and 1980s had been the fact that the social welfare system, which included health care and education, appeared to be out of step with the employment system, and that had produced a disproportionately high unemployment rate among educated young people. That in turn had encouraged a high drop-out rate in schools, since young people reasoned that there was little point in continuing their education if there was little prospect of subsequent employment. Such a development was potentially very damaging to society, given the crucial role that education should normally play in promoting social mobility. She wondered whether any specific steps had been taken to reverse the trend, and suggested that it might be fruitful to develop integrated policies based on a more holistic view of the interrelationships between different sectors, such as employment and education.

15. Referring to the policy of providing literacy classes for children as young as five, she suggested that greater efforts should be made to bring the children concerned into mainstream, full-time education. Since literacy classes were provided for only three days in each week, it seemed highly likely that children as young as five or six were employed for at least part of the time when they were not in class.

16. While it was clear that academic demands and parental expectations could put intolerable pressure on young people and even cause them to commit suicide, such a drastic step tended to suggest extreme desperation and an almost total absence of the support normally found within the family. Other factors also needed to be considered, such as the effect of sexual exploitation of children.

17. Ms. RANASINGHE (Sri Lanka) said that, as part of an overall strategy to reduce the high unemployment rate among young people who had completed secondary or tertiary education, her Government had introduced aptitude tests at grade 8. The purpose of those tests was to determine which children were suited to higher education and which children would benefit more from vocational and technical training. As new avenues of employment opened up for

school-leavers, the tendency for students automatically to seek white-collar work would be reduced and more students should find the sort of jobs to which they were really suited. That in turn should lead to a fall in unemployment among young people. Another factor which had exacerbated the relative disadvantage suffered by young job-seekers in rural areas had been the insistence among private-sector employers on recruiting young people who had had the benefit of education in English rather than Sinhala or Tamil. Some pressure had been exerted on private-sector employers to relax that requirement, with mixed success.

18. In response to a question asked by Ms. Badran on paragraph 100 of the report, she explained that the children who received non-formal literacy classes were those who were not in the mainstream of the educational system. Only rarely were those children as young as five.

19. Mr. MOMBESHORA asked whether the Government was satisfied with the quality of education offered, whether teachers were fully trained, whether the ratio of teachers to pupils was good, and whether the drop-out rate had been increasing.

20. Ms. RANASINGHE (Sri Lanka) said that, according to surveys conducted by the Ministry of Education, the drop-out rate had declined after the introduction of free textbook, uniform and lunch programmes. The level of admission of children who had not originally been in the mainstream had increased significantly after the introduction of those programmes. Nevertheless, the Government was still concerned about the drop-out rate. Through its poverty alleviation programme, the Government was offering guidance to parents on child care and had embarked on a public information campaign emphasizing the value of education.

21. Ms. KARP suggested that one of the reasons for the disparities in the levels of education among Sri Lankan children was that pre-school education was not part of the formal system and was available only through NGOs. She asked the Sir Lankan representative to elaborate on the subject of pre-school education and whether the Government had planned to include pre-school education in the system. She noted that there had been recommendations to prohibit the practice of corporal punishment and wondered what the prospects were for those recommendations to be accepted. What was the general attitude towards encouraging parents not to use corporal punishment in the home?

22. The CHAIRPERSON asked the Sri Lankan representative how the Government could effectively abolish corporal punishment in schools. Expanding Ms. Karp's query about pre-school education, he asked to what extent the Government had discussed early-childhood development education and the possibility of introducing it into the system.

23. Ms. RANASINGHE (Sri Lanka) said that the Government greatly appreciated the importance of early-childhood development and a paper had been written on the subject. A special programme had been launched by the Ministry of Education to train social workers to counsel parents on the upbringing of their children.

24. There was no single body which registered and monitored pre-school institutions. Day-care centres were operated free of charge by various government agencies and pre-school institutions were run by private individuals with formal training in that area. Studies had shown that the performance of children who had attended a pre-school institution was superior to that of children who had never had that opportunity. The Government was therefore very concerned that children should be given such a boost in their development and that one agency should be in charge of administering pre-school institutions. No final decision had as yet been made on the matter.

25. Ms. KARP thanked the delegation for its answer but said she was still not satisfied with the situation in Sri Lanka with regard to early-childhood education.

26. Ms. RANASINGHE (Sri Lanka), referring to the question of corporal punishment, said the National Committee for the Monitoring of the Rights of the Child had repeatedly recommended the abolition of such punishment, against the wishes of education experts who believed that principals and teachers should reserve the right to maintain discipline in the way they saw fit.

27. Mr. MOMBESHORA asked whether all schools had trained teachers.

28. Ms. RANASINGHE (Sri Lanka) said there were colleges for the training of teachers. Teachers had been reluctant to serve for long periods in disadvantaged areas, but that problem had been solved under the Provincial Council system, through which teachers were recruited from among the residents in the areas where they would work. In order to address the general shortage of teachers, young persons with General Certificate of Education (Advanced Level) qualifications had been recruited and trained. Nevertheless, the status of schools in remote areas remained unsatisfactory; there was much scope for improvement, in spite of the action already taken by the Government.

29. The CHAIRPERSON welcomed the measures taken by the Sri Lankan Government to provide compulsory primary education. He invited members to ask questions relating to children in emergency situations.

30. Mr. KOLOSOV asked why Sri Lanka had not acceded to the Convention relating to the Status of Refugees.

31. Ms. RANASINGHE (Sri Lanka) said the Government had provided a variety of services to refugees despite the dangers involved. She displayed a map showing the general patterns of refugee flows, explaining that numerous civilians had been killed or maimed by land-mines and rebel forces in the areas where assistance to refugees was administered. As stated in paragraph 145 of the report, her Government had been assisted in its efforts by the International Committee of the Red Cross (ICRC), NGOs and other organizations dealing with refugee relief.

32. The Government had provided shelter, basic amenities and food rations for displaced persons living in camps, and rations for those living with friends and relatives. Convoys of relief supplies, organized by various government agencies, had been delivered throughout the conflict to people living in areas

outside government control. In honouring its commitment to internally displaced persons in those areas, her Government had provided dry rations, free of charge, at a cost of 2.3 billion rupees per annum, a figure representing 97 per cent of the entire capital budget of the Ministries of Health and Women's Affairs in 1994.

33. The security issue also complicated the process of repatriation and resettlement of refugees and internally displaced persons. Only 40,000 persons had been returned under the UNHCR repatriation programme. She gave statistics describing the scope of destruction caused by the armed conflict. Damage to infrastructure had been estimated at $9.4 million, to education $33 million, to the water supply $10.5 million, and to agriculture $29 million.

34. The CHAIRPERSON agreed that those facts clearly illustrated the harmful impact of the armed conflict, the tremendous drain it had caused on the country's resources and the human tragedy it had created. Three points should be made concerning the question of refugees and displaced persons. The first was that Sri Lanka received refugees from other countries. The Committee believed that every country should support the international standards for the treatment of asylum-seekers and refugees, particularly the two basic instruments, the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees. The Committee strongly recommended that all Governments should ratify those instruments because of their implications for the well-being of asylum-seeking children. Secondly, problems arose from the phenomenon of refugees leaving Sri Lanka because of the conflict in the north. And thirdly, the plight of displaced persons must be addressed. The Government needed to deal with all three problems.

35. Mr. KOLOSOV noted that the guerrillas forcibly recruited very young boys and girls to fight. He asked how those children were treated when they were captured by government forces.

36. Ms. RANASINGHE (Sri Lanka) said her Government was extremely concerned at the fact that such young children were being recruited. When the army itself had wanted to lower the age of recruitment, the Government had taken a firm stand against that move. There were neither reports nor statistics issued by government forces or the Ministry of Defence concerning the capture of children during the conflict.

37. Mr. KOLOSOV expressed deep regret at the fact that no information was available on the matter. There was no doubt that during military operations prisoners were taken by guerrilla groups and by government forces. He repeated his question as to how young boys and girls were treated when they were captured by government forces. Where were they kept? Was there a programme of rehabilitation?

38. Ms. RANASINGHE (Sri Lanka) said that in the civil war government army personnel had been captured by LTT opposition forces. Apart from those serving in guerrilla forces, children had never been captured or imprisoned by government forces. Nevertheless, the question would be raised with the Ministry of Defence.

39. The CHAIRPERSON said that in such a ruthless and cruel conflict there was a need for very strict rules on the behaviour of the law-enforcement and security forces. Such rules should conform with international standards, for example, ICRC's humanitarian law standards. Details of the rules in force in Sri Lanka should be included in the next report and be submitted separately to the Committee in writing.

40. Ms. RANASINGHE (Sri Lanka) said that no documents or reports were currently available on that subject, but would be requested from the Ministry of Defence. Such information might be confidential owing to its sensitive nature.

41. Miss MASON said she wished to raise the issue of the age of criminal responsibility for children. The Sri Lankan report and national legislation set the age of criminal responsibility for a child at eight. For the 8 to 12 age group, it could be decided that a child was not criminally responsible, i.e. that he did not have sufficient maturity to judge the nature and consequences of his actions. She asked whether standards existed in Sri Lankan law to determine the age and maturity of a child or whether that was done subjectively by individual judges?

42. Sri Lankan law seemed similar to that in Barbados. Matters concerning children under 16 were determined by a juvenile court. Anyone over the age of 16 was dealt with by an adult court. For those in the 16 to 18 category that created an anomaly. In certain situations children were treated as adults and in others as children. After the age of 16, children could be tried by an adult court and were subject to the sanctions imposed by the Penal Code. However, they did not have equivalent civil rights with regard to voting, driving, getting married and so on, and problems could ensue. Since children between the ages of 16 and 18 were treated as adults for criminal purposes, statistics would show a higher incidence of crime. Sri Lanka was currently considering reforming its legislation. Was it contemplating raising the upper age-limit of juvenile offenders to 18 in order to circumvent the problems which arose and to comply with the provisions of the Convention?

43. Ms. RANASINGHE (Sri Lanka) said that proposed legal amendments relating to child abuse, child labour and juvenile justice were currently under consideration. The upper age-limit of juvenile offenders would certainly be raised to 18. Currently, three categories existed: persons under 16 were designated as child offenders, those between 16 and 18 as young offenders and those between 18 and 21 as youthful offenders. The last group were dealt with by the Prison Department, whereas those under 18 were dealt with by other departments.

44. Miss MASON asked whether children in the 16 to 18 age range had been asked for their opinion on the proposed amendment to the age of juvenile offenders, since one of the fundamental principles of the Convention was a child's right to express its views. In her own country a survey had been carried out in which the majority of children between the ages of 16 and 18 had stated that they preferred to be considered as adults in all situations. The Sri Lankan report stated that children between the ages of 16 and 18 were dealt with under the Penal Code rather than under the Juvenile Offenders Act.

45. Ms. RANASINGHE (Sri Lanka) said that initially the national authorities had wanted to amend various decrees concerning children so as to consolidate them into a single Children's Act. However, some members of the technical committee and the Prime Minister of the time had decided that the amendments should be incorporated into the Penal Code. That would shortly become the case since law-enforcement officers attached much greater importance to the Penal Code than to the Children and Young Persons Ordinance.

46. Ms. KARP requested clarification as to whether juvenile courts were authorized to deal with serious offences such as murder and robbery for juveniles under the age of 16.

47. Ms. RANASINGHE (Sri Lanka) said that there was only one juvenile court, located in Colombo, for the whole country. The magistrates courts functioned as juvenile courts for cases involving children, which were heard in camera. Children could not be identified and their photos could not be published.

48. Ms. KARP asked whether, for example, a 15-year-old who had committed murder in Colombo would appear before a juvenile court or be dealt with under the Penal Code in an adult court, in accordance with the provisions of criminal law relating to sentences and the authority of courts.

49. Ms. RANASINGHE (Sri Lanka) said that such a case would be heard in a juvenile court. In cases where children were victims, juvenile courts did not take punitive action against offenders since the cases were dealt with in other magistrates courts. In cases relating specifically to child labour, the juvenile court would ask an employer to pay compensation to the child concerned.

50. Mr. KOLOSOV said that international recommendations existed on the treatment of juvenile offenders - for example, the Beijing rules and the Riyadh rules. Such recommendations should be taken into account to the maximum extent possible in the reform of Sri Lankan legislation. He asked what system of monitoring was in force for places of detention of juvenile offenders. Were children separated from adult offenders? Did they have contact with members of their family? Were they provided with adequate food and education programmes?

51. Ms. RANASINGHE (Sri Lanka) said that when juvenile offenders were referred by courts to the Department of Probation and Child Care, they were either kept on probation or sent to correctional centres. There were four certified schools under provincial administration. Before being sent to certified schools, i.e. until their cases were decided, they were kept in one of four separate remand homes. They were never kept with adult offenders. There were three remand homes for boys and one for girls. These homes were adequate, but the number of girls in the certified school was at times in excess of 100. Probation officers and a provincial commissioner and secretary frequently visited the schools for supervisory purposes. A number of staff posts were vacant and consequently wholly satisfactory services could not be guaranteed. The central authorities were trying to persuade provincial councils to fill vacancies. Since there was a lack of senior qualified officials, those of lower rank were sometimes promoted to take charge of the remand home, as had happened recently in a suburb of Colombo. On the whole,

non-institutional treatment, i.e. placing juvenile offenders on probation, was more satisfactory. If all the necessary resources were available, certified schools would be able to operate more efficiently.

52. Miss MASON asked what the difference was between certified and approved schools. Who determined to which institution a child was sent? Were children in need of care and protection accommodated with those who had broken the law?

53 Ms. RANASINGHE (Sri Lanka) said that certified schools were run by the State, whereas approved schools were run by Catholic priests. The two types of schools offered the same services and children were corrected and rehabilitated in exactly the same manner. Judges decided whether a particular child was in need of institutional or non-institutional treatment. A child who came from a sound family environment would most likely be subject to a probation order. Otherwise children were sent to certified schools for three years. In cases of early rehabilitation, i.e. if officials judged that a child was behaving satisfactorily enough to rejoin society, early release was possible, with ministerial approval.

54. Miss MASON said that those children sent to approved schools for rehabilitation and reintegration appeared to be subjected to discrimination and unfair treatment. For example, if an adult stole something, he would receive a three-month prison sentence. Conversely, if a child stole something, he would be forced to undergo a three year rehabilitation period. The system of punishment for children should be reconsidered.

55. She asked whether the available statistics on juvenile offenders could be disaggregated by age, gender, region and so on. For example, only one certified school was available for girls and it was located in an urban area. What happened to rural offenders? Were they taken out of their families and forced to go to Colombo? Were children in certified and approved schools bereft of any family association for a period of three years?

56. In relation to the representation f children in the juvenile justice system, she noted that legal aid was available. However, it was not clear to what extent. More often than not children appearing before the courts came from the lower strata of society. Since the remuneration which they themselves could pay to lawyers was so low, it was difficult to believe that children's interests were adequately sal.guarded in the light of the requirements of the Convention, which stipulated that children were entitled to separate legal representation. Which persons, apart from a child's parents, were able to protect his interests in a court of law? In Barbados, children were required to approach the legal authorities through an adult. She asked whether, for matters settled out of court between a child's parents and the perpetrator of a crime without the child's knowledge or participation, the child's interests were considered separately.

57. Ms. RANASINGHE (Sri Lanka) reiterated that free legal aid was available. In most courts there were lawyers who were directly entrusted by the Legal Aid Commission with responsibility for lending their services to children who could not afford lawyers' fees. The Commission was expanding its services. Probation officers also represented children's interests and many women lawyers defended child victims free of charge.

58. Miss MASON asked whether free legal aid was given as a matter of course or only in special instances - for example, only for high-profile indictable offences such as murder, rape and robbery.

59. Ms. RANASINGHE (Sri Lanka) said that not all children were given legal aid, but probation officers offered help to children in less serious cases. Furthermore, parents had the opportunity to maintain contacts with their children when they were placed in certified or approved schools. Children could also return home for holidays, and so those schools could not really be considered as detention centres. Vocational training was also given in all four certified schools. Religious and cultural programmes, sports facilities and counselling services were all provided. Unfortunately, there were too many children in the remand home for girls, where staff were under great pressure. In cases where a child was separated from his family but the family environment was essentially sound, the child was kept on probation. The three-year rehabilitation period was not mandatory.

60. The CHAIRPERSON noted that in Sri Lanka there was a central register for the provision of statistics on children's age, gender and background.

61. Ms. RANASINGHE (Sri Lanka) said that many children came from urban slums and consequently many crimes were committed in that environment. It was very rare for children from lower-middle and upper-middle class families to become juvenile delinquents.

62. The CHAIRPERSON said that Sri Lanka was undergoing a transition in relation to problems of juvenile delinquency. The Committee could only offer advice. He strongly emphasized the importance of the international instruments relating to the matter. With regard to the exploitation of children, child labour reforms were being undertaken by the Sri Lankan authorities. Therefore, the situation might not be wholly clear.

63. Ms. RANASINGHE (Sri Lanka) said that a campaign had been launched requesting the public to inform the authorities of cases of child labour. Advertisements had been repeatedly published in newspapers and had appeared on television. As a result, many influential people had released children working as domestic servants in their homes. The root cause of child labour was poverty. Parents gave their children to affluent families without realizing the damage done to those children, who were deprived of the right to a normal childhood and education and were often sexually abused. An attempt was being made to educate parents through the National Awareness Programme. Most of them were very appreciative of the efforts made, since they had failed to realize the serious nature of the problem. The National Awareness Programme had made a very positive contribution to reducing the different forms of child abuse, in particular child labour. Such practices should be minimized with the enforcement of new legislation and an increase in public awareness.

64. Those who employed children had been made to realize they were in serious breach of the law. Following a 1989 television drama production, many petitions had been sent to the juvenile justice authorities denouncing cases of child labour. In the current campaign complaints were being received on a daily basis. Most important of all, it was necessary to treat the causes.

Specific family-strengthening programmes, for example the Sponsorship Programme, existed to help children financially, but only to a limited extent. Two hundred rupees a month were paid to mothers to support their children. Poverty alleviation programmes, in particular the Prosperity Programme launched by the new Government, were in existence. If they were implemented successfully, child labour would be reduced to a minimum. Parents gave their children to affluent families out of ignorance. The problem had existed for generations and constituted a vicious circle which must be broken.

65. In reply to a question by the Chairperson, she said that in some sectors the minimum age for employment was 12 years and in others it was 14. Legislation under consideration would increase the age-limit for employment to 15 years.

66. The CHAIRPERSON invited members to make concluding observations.

67. Ms. RANASINGHE (Sri Lanka) said that although her country had recently begun to carry out reforms, it would greatly appreciate any recommendations and advice the Committee was able to offer.

68. Ms. BADRAN said that she sympathized with the difficult situation obtaining in Sri Lanka with regard to the family. Concern had been expressed in that respect and there was clearly a need for changes in behaviour and attitude. In view of the fact that a large number of family members were working abroad, there was a need for some kind of intercountry agreement. In that connection, she noted that Kuwait and Qatar were States parties to the Convention and that a large number of parents had associations with Kuwait. She therefore suggested that the countries concerned should conclude an agreement. Thus Kuwait, for example, could fulfil its commitment as a State party to the Convention in respect of the children of parents working in Kuwait and allow parents to bring their children to Kuwait. Education in Kuwait was free, so the children of Sri Lankan parents working there should also be able to receive education free of charge. In addition, the host country would have to ensure that the children were able to study in their own language.

69. Mr. MOMBESHORA said that he wished to express his appreciation for the delegation's replies, especially since nearly all of them had been given by one person only. It was regrettable that the Sri Lankan Government had not sent a larger delegation consisting of persons who had participated in the drafting of the report and those in policy-making areas, since that would have made the discussion much more fruitful.

70. As to the report itself, one problem area that Sri Lanka must tackle was that of collecting accurate data. He had referred to the question of indicators and the delegation's reply had shown quite clearly the constant movement of people from war-torn areas and from rural to urban areas. Consequently, there was a need for Sri Lanka to revise its statistics in order to reflet accurately the resources allocated to its various programmes.

71. Miss MASON expressed her appreciation to the delegation of Sri Lanka. The Committee was aware of the continual conflict in that country, the process of structural readjustment and the consequent deterioration in social sectors.

One of the issues she wished to raise was the status of the Children's Charter. The Committee appreciated the fact that Sri Lanka was carrying out an ongoing reform and reviewing its legislation. It recognized that there were some areas within the Charter where the standards were lower than those set out in the Convention and it would like Sri Lanka to examine the documents side by side and apply the higher standard for the benefit of that country's children.

72. Referring to the definition of a child, she thought that further consideration was necessary, especially in terms of the economic responsibility of children and those who were neither adults nor children, namely those between the ages of 16 and 18. As to the general principles of the Convention, Sri Lanka should examine the question of non-discrimination, and more specifically the situation of children in the rural areas and those born out of wedlock. Greater attention should be paid to the consequences suffered by those children because of the circumstances of their birth. With regard to birth registration, the Government should consider the possibility of excluding from the register headings such as the marital status of a family, which could redound to the disadvantage of a child born out of wedlock.

73. On the question of the family environment, there was a need to bring local standards up to the level of those required for intercountry adoption. Consideration should also be given to the possible development of an appropriate foster family system. In the health sector, the Government's ongoing programmes on prevention and awareness should be amplified. Sri Lanka should not rest on its laurels, taking the view that AIDs was not a problem in its society. The world was a global village and, given the high incidence of male prostitution in Sri Lanka and the way in which AIDs was transmitted, AIDS should be a matter of serious concern to the Government. Sexual exploitation was another area that should be examined with a view to making incest and sodomy crimes. Greater attention should be paid to the training of individuals who dealt with children, such as the police, who might be aware of the Penal Code but not of other legislation concerning the rights of the child.

74. Ms. KARP said that there was a need not only to correlate the Children's Charter with the Convention, but also to find a way of incorporating the principles of the Convention into legislation that would be more binding than the Charter. Corporal punishment was contrary to the provisions of the Convention; a campaign to abolish such punishment should serve as a lever to change public attitudes. On the question of budgetary priorities, it was necessary to make implementation and monitoring more effective.

75. The Ministry of Education should be made responsible for pre-school education. Attention should be given to the issue of discrimination between children on the basis of religious law and the need for a general and non-discriminatory law with regard to succession and other matters. While the Government was in the initial stage of dealing with juvenile delinquency, efforts should be made to establish juvenile courts throughout the country.

76. She endorsed all the comments made by her colleagues. With respect to the situation of victims of abuse and their treatment as delinquents, she said

that such cases should be handled from the outset by services specializing in abusive treatment, particularly sexual abuse. Lastly, she endorsed the suggestion that consideration should be given to providing services for women who had children out of wedlock and wished to raise them.

77. Mr. KOLOSOV suggested that the Sri Lankan authorities might consider the possibility of concluding agreements with countries where Sri Lankan women worked concerning the recovery of maintenance for their children. They might also consider ratifying the Convention relating to the status of Refugees and the subsequent Protocol on the subject. On the question of children affected by war, the Committee might request the Government to provide additional information. Child labour was of great concern because millions of children were being exploited. He supported the suggestion that use should be made of the technical expertise available in the Centre for Human Rights, ILO and other bodies.

78. The CHAIRPERSON suggested that on child labour questions the Sri Lankan authorities should tap all available expertise for the purposes of its legal reforms. On the question of abuse, although no international body had developed expertise, several NGOs were in a position to provide support. It might also be useful to travel to other countries in order to study how they coped with the problem of domestic violence, since that phenomenon was a priority concern in a number of countries.

79. Ms. RANASINGHE (Sri Lanka) thanked the Committee for its views and comments, which would be of great help to her Government.

80. The CHAIRPERSON said that the Committee had thus concluded its consideration of the report of Sri Lanka and thanked the delegation for its very useful cooperation.

The meeting rose at 1 p.m.